



### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

## In re Application of:

Rao et al.

Serial No.: 10/789,465

Filed: February 27, 2004

For: PERSISTENT EXPRESSION OF

CANDIDATE MOLECULE IN PROLIFERATING STEM AND

PROGENITOR CELLS FOR DELIVERY OF

THERAPEUTIC PRODUCTS

Confirmation No.: 5295

Examiner: Q. Nguyen

Group Art Unit: 1633

Attorney Docket No.: 2923-5456.1US

CERTIFICATE OF MAILING

I hereby certify that this correspondence along with any attachments referred to or identified as being attached or enclosed is being deposited with the United States Postal Service as First Class Mail on the date of deposit shown below with sufficient postage and in an envelope addressed to the Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

May 1, 2006

Date

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#### SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Mail Stop Amendment Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

In compliance with the duty to disclose information material to patentability pursuant to 37 C.F.R. § 1.56, it is respectfully requested that this Supplemental Information Disclosure Statement be entered and the documents listed on attached Form PTO-1449 or PTO/SB/08 be considered by the Examiner and made of record. Copies of U.S. patents are not being submitted pursuant to M.P.E.P. 609 III A(2). Copies of foreign patent documents and non-patent literature are enclosed pursuant to 37 C.F.R. § 1.98(a)(2).

### Serial No. «Patent Application No»

In accordance with 37 C.F.R. § 1.97(g) and (h), filing of this Supplemental Information Disclosure Statement is not to be construed as a representation that a search has been made or an admission that the information cited herein is, or is considered to be, material to patentability as defined in 37 C.F.R. § 1.56(b). Further, no representation is made by Applicants herein that no other possible material information as defined in 37 C.F.R. § 1.56 (b) exists.

#### U.S. Patent Documents

U.S. Patent No.	Publication Date	<u>Patentee</u>
US - 5,639,618	Jun. 17, 1997	Gay

### **Other Documents**

RAO, MAHENDRA S., Multipotent and Restricted Precursors in the Central Nervous System, The Anatomical Record (NEW ANAT.) 257:137-148, 1999

RAO et al., Precursor cells for transplantation, Progress in Brian Research Vo. 128, Copyright 2000 Elsevier Science B.V., pages 273 - 292

Applicants offer to supply any explanation or discussion of the documents which the Examiner feels is necessary or desirable and which is requested.

# Serial No. «Patent Application No»

This Supplemental Information Disclosure Statement is filed after the mailing date of the final Office Action under 37 C.F.R. § 1.113, but before payment of the issue fee.

Respectfully submitted,

Krista Weber Powell Registration No. 47,867

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Date: May 1, 2006

KWP/lmh

Enclosures: Form PTO-1449 or PTO/SB/08

Copy of documents cited

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Approved for use through 10/31/2002. OMB 0651-0031

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Substitute for form 1449A/PTO

# INFORMATION DISCLOSURE STATEMENT BY APPLICANT

Complete if Known 10/789,465 Application Number February 27, 2004 Filing Date First Named Inventor Rao et al. 1633 Group Art Unit **Examiner Name** Q. Nguyen 2923-5456.1US Attorney Docket Number

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			U.S. PATENT D	OCUMENTS	
Examiner Initials *	Cite No.	Document Number  Number - Kind Code <sup>1</sup> (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		US-5,639,618	Jun. 17, 1997	Gay	
		US-			
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	FOREIGN PATENT DOCUMENTS					
Examiner Cite	Foreign Patent Document		Name of Patentee or	Pages, Columns, Lines,		
Initials*	No.1	Country Code <sup>3</sup> - Number <sup>4</sup> - Kind Code <sup>5</sup> (if known)	Publication Date MM-DD-YYYY	Applicant of Cited Document	Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
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Applicant's unique citation designation number (optional). See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. that issued the document, by the two-letter code (WIPO Standard ST.3). For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. 6 Applicant is to place a check mark here if English language Translation is attached.

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	NON PATENT LITERATURE DOCUMENTS				
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		RAO, MAHENDRA S., Multipotent and Restricted Precursors in the Central Nervous System, The Anatomical Record (NEW ANAT.) 257:137-148, 1999			
		RAO et al., Precursor cells for transplantation, Progress in Brian Research Vo. 128, Copyright 2000 Elsevier Science B.V., pages 273 - 292			

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